

**RESPONSE TO AMENDMENT**

1. Amended claims 1-36 and new claims 43-52 remain for further examination.

**The new grounds of rejection**

2. Applicants' amendments and arguments with respect to claims 1-36 filed on March 05, 2008 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

**Claim Rejections - 35 USC § 103(a)**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 6-15, 18-21, and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang et al (U.S. Patent No. 7,216,172) in view of Erickson et al (U.S. Patent No. 6,721,792).

5. As to claims 1-2, Yang et al teach a method, comprising: at a network device (central computer system), providing a hypertext transfer protocol (HTTP) client-side connection and a HTTP server-side connection; receiving at the network device via the client-side connection a communication; and maintaining persistent, by the network device, at least the server-side connection in response to the communication received via the client-side connection (see abstract; figure 1; column 2 lines 20-44; and column 3 line 28 to column 5 line 35).

However, Yang et al do not teach that receiving at the network device via the client-side connection a communication that signals the server-side connection to close; and closing the client-side connection while the server-side connection is maintained persistent.

Erickson et al explicitly teach that receiving at the network device via the client-side connection a communication that signals the server-side connection to close; and closing the client-side connection while the server-side connection is maintained persistent (see abstract; figures 3-6; column 2 lines 22-39; and column 8 line 35 to column 9 line 55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Erickson et al stated above in the method of Yang et al because it would have promoted efficient planning in the network and maximized the utilization of the network by using a one session network connection.

6. As to claims 6-8, Erickson et al teach that maintaining persistent at least the server-side connection in response to the communication received via the client-side connection includes: identifying, by the network device, a Connection: Close header in the communication received via the client-side connection; replacing, by the network device, the Connection: Close header in the communication with a Connection: Keep-Alive header; the network device performing at least one of increasing a total length of a packet having the Connection: Close header, fragmenting the packet having the Connection: Close header, and recalculating a checksum of the packet; and inserting, by the network device, a Connection: Keep-Alive header in the communication if the communication does not contain any header information indicative of whether to close the HTTP connection (figures 4-6; column 7 line 16 to column 8 line 67).

7. As to claims 9-10, Erickson et al teach that maintaining persistent at least the server-side connection in response to the communication received via the client-side connection includes: modifying, by the network device, a header in the communication, from a format that signals the server-side connection to close to a format that is unrecognizable by a server coupled to the server-side connection, to cause the server to ignore the modifier header; and modifying the header in the request to the form that is unrecognizable to the server includes at least one of modifying a name of the header and modifying a value of the header (figures 4-6; and column 6 line 28 to column 8 line 67).

8. As to claims 11-12, Erickson et al teach that maintaining persistent at least the server-side connection in response to the communication received via the client-side connection includes: changing, by the network device, a HTTP version value indicated in the communication to another HTTP version value that is recognizable by a server, coupled to the server-side connection, as being associated with a persistent connection; and adjusting a checksum based on a difference between the HTTP version values (figures 5-7; and column 8 line 19 to column 9 line 38).

9. As to claim 13, Erickson et al teach that the request includes a header having a proxy format (figures 3-4).

10. As to claim 43, Yang et al teaches that the network device includes a switch (figure 1; and column 5 lines 3-35).

11. As to claim 44, Erickson et al teach that changing the HTTP version value to another HTTP version value includes changing, by the network device, from HTTP version 1.0 indicated in the request to HTTP version 1.1 (column 7 lines 44-55; and column 8 lines 19-34 and 55-67).

12. As to claims 14-15, 18-21, and 45, they are also rejected for the same reasons set forth to rejecting claims 1-2, 6-13, and 43-44 above. Additionally, Yang et al teaches that establishing the client-side and server-side connections include establishing these connections as part of a hypertext transfer protocol (HTTP) connection (figures 2-3; and column 5 line 38 to column 10 line 38).

13. Claims 3-5 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang et al (U.S. Patent No. 7,216,172) in view of Erickson et al (U.S. Patent No. 6,721,792), as applied to the claims 1-2 and 14 above, and further in view of Kirby et al (U.S. Patent No. 5,828,846).

14. As to claims 3-5, neither Yang et al nor Erickson et al does not teach that de-linking, by the network device, the server-side connection from the client side connection in response to a RESET packet received by the network device via the client-side connection and in response to a FIN packet received by the network device via the client-side connection; and closing both the client-side and server-side connections in response to a FIN packet received by the network device via the server-side connection.

Kirby et al teach that de-linking, by the network device, the server-side connection from the client side connection in response to a RESET packet received by the network device via the client-side connection and in response to a FIN packet

received by the network device via the client-side connection; and closing both the client-side and server-side connections in response to a FIN packet received by the network device via the server-side connection (see abstract; figures 7-9; and column 4 line 5 to column 5 line 15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kirby et al stated above in the method of Yang et al because it would have promoted efficient planning in the network and maximized the utilization of the network by using different types of packets and techniques.

15. As to claims 16-17, they are also rejected for the same reasons set forth to rejecting claims 3-5 above.

16. As to claims 22-36 and 46-52, they are also rejected for the same reasons set forth to rejecting claims 1-21 and 43-45 above, since claims 22-36 and 46-52 are merely an apparatus for the method of operations defined in the method claims 1-21 and 43-45.

#### **Response to Arguments**

17. Applicants' amendments and arguments with respect to claims 1-36 filed on March 05, 2008 have been fully considered but they are deemed to be persuasive and moot in view of the new grounds of rejection.

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18. Applicant's arguments have been fully considered. The examiner has attempted to answer (response) to the remarks (arguments) in the body of the Office action.

19. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

#### **Contact Information**

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

/Bharat N Barot/

Primary Examiner, Art Unit 2155

May 28, 2008